



Attorney Docket No.: 2870/192

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lawson, et al.

Serial No.: 09/441,832

Group Art Unit: 1619

Filed: November 17, 1999

Examiner: Berman, Alysia

For: Gel-Type Oil Free Cosmetic

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AMENDMENT TRANSMITTAL LETTER

Assistant Commissioner of Patents and Trademarks

Washington, DC 20231

Dear Sir:

Transmitted herewith is an Amendment for the above-identified application. The fee required to be filed with the accompanying amendment has been calculated as shown below:

CLAIMS AS AMENDED

| | Claims Remaining After Amendment | Highest No. Covered by Previous Payments | Present Extra | Rate | Fee |
|--|---|---|------------------|--------|---------|
| Total | 26 | - 26 | 0 | x \$18 | \$ 0.00 |
| Independent | 2 | - 2 | 0 | x \$80 | \$ 0.00 |
| 1st Presentation of Multiple Dependent Claim | | | | + | \$ 0.00 |
| | | | | Total | \$ 0.00 |

An additional fee is believed to be required for this amendment for an extension of time of three months in an amount of \$890.00. Please charge the required fee to Deposit Account No. 05-1320.

Estelle J. Tsevdos

By: Mary C. Weiner Reg No. 30,333

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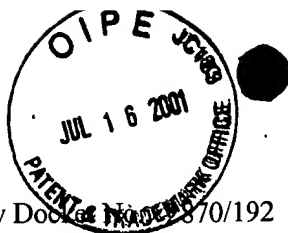
I certify that this document and fee is being deposited on 7/13/01 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary C. Weiner Reg No 30,333 for Estelle J. Tsevdos

Signature

ESTELLE J. TSEVDOS

Typed or Printed Name



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

Date 7/13/01 agent
Atty's Reg. # 30,333

agent
Atty's Signature Mary C. Wena
KENYON & KENYON

RESPONSE PURSUANT TO 37 CFR 1.111

The Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Dear Sir:

In the Examiner's Office Action, dated February 5, 2001, Claims 4 to 6, 20, 22, and 24 are withdrawn from consideration as being directed to a non-elected invention pursuant to 37 C.F.R. 1.142(b). Applicants thank the Examiner for the phone interview of January 19, 2000 and affirm Applicants' election with traversal of species (b) directed to sterol-based surfactant/emulsifier in Claims 1 to 3, 7 to 19, 21, 23, 25 and 26. In response to the Examiner's rejections in the present office action, please enter the following amendments and consider the following remarks. Applicants also request a three month extension of time pursuant to 37 C.F.R. 1.136(a).

CLEAN AMENDMENTS

Please amend the following claims in their clean form below and as the previous version of the claims is marked on the attached page entitled MARKED AMENDMENTS.

Sub B'
a'
1. (Amended) A non-emulsion topical gel composition comprising an aliphatic polyhydric alcohol, an alkali salt of a fatty acid ester or an amine salt of a fatty acid ester, a carbohydrate-based or sterol-based surfactant/emulsifier or combination thereof, water, and substantially no oil.

2. (Amended) The composition of claim 1 in which the alkali salt is a sodium or potassium salt of a C12-C22 fatty acid.

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